

by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency, any State agency, or the Alaska Nanuq Commission for purposes of carrying out this title or the Agreement.

(2) Other powers and authorities.--Any person authorized by the Secretary under this subsection to enforce this title or the Agreement shall have the authorities that are enumerated in section 6(b) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(b)).

(c) ENSURING COMPLIANCE –

(1) Title i authorities.--The Secretary may use authorities granted under title I for enforcement, imposition of penalties, and the seizure of cargo for violations under this title, provided that any polar bear or any part or product of a polar bear taken, imported, exported, possessed, transported, sold, received, acquired, purchased, exchanged, or bartered, or offered for sale, purchase, exchange, or barter in violation of this title, shall be subject to seizure and forfeiture to the United States without any showing that may be required for assessment of a civil penalty or for criminal prosecution under this Act.

(2) Additional authorities.--Any gun, trap, net, or other equipment used, and any vessel, aircraft, or other means of transportation used, to aid in the violation or attempted violation of this title shall be subject to seizure and forfeiture under section 106.

(d) REGULATIONS.--

(1) In general.--The Secretary shall promulgate such regulations as are necessary to carry out this title and the Agreement.

(2) ORDINANCES AND REGULATIONS.--If necessary to carry out this title and the Agreement, and to improve compliance with any annual taking limit or other restriction on taking adopted by the Commission and implemented by the Secretary in accordance with this title, the Secretary may promulgate regulations that adopt any ordinance or regulation that restricts the taking of polar bears for subsistence purposes if the ordinance or regulation has been promulgated by the Alaska Nanuq Commission.

**COOPERATIVE MANAGEMENT AGREEMENT;  
AUTHORITY TO DELEGATE ENFORCEMENT AUTHORITY.**

*16 U.S.C. 1423c*

**Sec. 504.** a) IN GENERAL --The Secretary, acting through the Director of the United States Fish and Wildlife Service, may share authority under this title for the management of the taking of polar bears for subsistence purposes with the Alaska Nanuq Commission if such commission is eligible under subsection (b).

(b) DELEGATION --To be eligible for the management authority described in subsection (a), the Alaska Nanuq Commission shall–

(1) enter into a cooperative agreement with the Secretary under section 119 for the conservation of polar bears;

(2) meaningfully monitor compliance with this title and the Agreement by Alaska Natives; and

(3) administer its co-management program for polar bears in accordance with—

- (A) this title; and
- (B) the Agreement.

## **COMMISSION APPOINTMENTS; COMPENSATION, TRAVEL EXPENSES, AND CLAIMS.**

### *16 U.S.C. 1423d*

#### **Sec. 505** (a) APPOINTMENT OF UNITED STATES COMMISSIONERS

(1) < NOTE: President.> > Appointment.--The United States commissioners on the Commission shall be appointed by the President, in accordance with paragraph 2 of article 8 of the Agreement, after taking into consideration the recommendations of--

- (A) the Secretary;
- (B) the Secretary of State; and
- (C) the Alaska Nanuuq Commission.

(2) QUALIFICATIONS --With respect to the United States Commissioners appointed under this subsection, in accordance with paragraph 2 of article 8 of the Agreement--

- (A) 1 United States commissioner shall be an official of the Federal Government;
- (B) < < NOTE: Native Alaskans.> > 1 United States commissioner shall be a representative of the Native people of Alaska, and, in particular, the Native people for whom polar bears are an integral part of their culture; and
- (C) both commissioners shall be knowledgeable of, or have expertise in, polar bears.

(3) SERVICE AND TERM.--Each United States commissioner shall serve--

- (A) at the pleasure of the President; and
- (B) for an initial 4-year term and such additional terms as the President shall determine.

(4) VACANCIES --

(A) IN GENERAL.--Any individual appointed to fill a vacancy occurring before the expiration of any term of office of a United States commissioner shall be appointed for the remainder of that term.

(B) MANNER.--Any vacancy on the Commission shall be filled in the same manner as the original appointment.